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UNITED STATES PATENT AND TRADEMARK OFFICE

JAN 13 2004

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

PAT. & T.M. OFFICE
BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte MAKAREM A. HUSSEIN

Application No. 09/672,375

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was received at the Board of Patent Appeals and Interferences on December 30, 2003. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the examiner. The matters requiring attention prior to docketing are identified below:

On June 3, 2002, appellant filed an amendment (Paper No. 6). On January 30, 2003, appellant filed an Appeal Brief (Paper No. 11). On page 2 of the Examiner's Answer mailed on April 10, 2003 (Paper No. 12), the examiner states that "[t]he copy of the appealed claims contained in the Appendix to the brief is correct." However, a review of the Appendix to appellant's Brief reveals that claim 12 contains the following errors:

Claim 12, line 6: After "sidewall" add "--of the via--."

Claim 12, line 7: After "sidewall" add "--of the via--."

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Accordingly, it is

ORDERED that the application is returned to the examiner to notify appellant to submit a corrected Appendix to the Brief, or for the examiner to submit a corrected Appendix to the Brief, and for such further action as may be appropriate.

BOARD OF PATENT APPEALS
AND INTERFERENCES

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